

APR 12 2006

Docket No.: 20421-00071-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
James N. Dieffenderfer et al.

Application No.: 10/714,105

Confirmation No.: 1935

Filed: November 14, 2003

Art Unit: 2188

For: METHOD AND SYSTEM FOR PROVIDING
CACHE SET SELECTION WHICH IS POWER
OPTIMIZED

Examiner: Gregory P. Hein

TERMINAL DISCLAIMERCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is attorney of record for the assignee of the above-identified application. International Business Machines Corporation certifies that it is the owner of 100% interest in the above identified patent application, as evidenced by an assignment previously recorded in the U.S. Patent and Trademark Office.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,961,276. The owner hereby agrees that any patent that is granted on the above-identified application shall be enforceable only for and during such period that it and the above listed patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assignees.

458835

Application No.: 10/714,105

Docket No.: 20421-00071-US

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminate prior to the expiration of its full statutory term.

Please charge our Deposit Account No. 50-0563 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.20(d). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0563, under Order No. 20421-00071-US. A duplicate copy of this paper is enclosed.

Dated: April 12, 2006

Respectfully submitted,

By 
Myron Keith Wyche

Registration No.: 47,341
CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800
Washington, DC 20036
(202) 331-7111
(Fax)
Attorney for Applicant